

AMENDED IN ASSEMBLY JUNE 4, 2003
AMENDED IN ASSEMBLY MAY 6, 2003
AMENDED IN ASSEMBLY APRIL 24, 2003
AMENDED IN ASSEMBLY APRIL 21, 2003
AMENDED IN ASSEMBLY MARCH 24, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 621

Introduced by Assembly Member Nakanishi

February 19, 2003

An act to add and repeal Article 2.7 (commencing with Section 11595) to Chapter 1 of Part 3 of the Insurance Code, relating to health services.

LEGISLATIVE COUNSEL'S DIGEST

AB 621, as amended, Nakanishi. Physicians and surgeons: immunity from liability.

The Medical Practice Act provides for the licensing and regulation of physicians and surgeons by the Medical Board of California. Existing law requires the board to waive the license renewal fee for a physician and surgeon if the sole purpose of license renewal is to provide voluntary, unpaid services to a public agency, not-for-profit agency, institution, or corporation that provides medical services to indigent patients in medically underserved or critical-need population areas of the state.

This bill would create the Physicians and Surgeons Liability Insurance Pilot Program which would be administered by the State Department of Health Services. The bill would require the program to purchase liability insurance for up to 100 physicians and surgeons who are eligible for waivers of license renewal fees, as described above. The bill would terminate the program on January 1, 2009, and would be contingent upon receiving private funding sufficient to pay the costs of administering *and evaluating* the program and purchasing liability insurance.

The bill would require the department, by January 1, 2008, to contract for an evaluation of the program. It would require that the evaluation be submitted to the Legislature by January 1, 2009.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 2.7 (commencing with Section 11595)
2 is added to Chapter 1 of Part 3 of the Insurance Code, to read:
3
4 Article 2.7. The Physicians and Surgeons Liability Insurance
5 Pilot Program
6
7 11595. The Physicians and Surgeons Liability Insurance Pilot
8 Program is hereby created.
9 11595.1. The program shall purchase liability insurance for
10 up to 100 physicians and surgeons who are eligible for waivers of
11 license renewal fees pursuant to Section 2442 of the Business and
12 Professions Code.
13 11595.2. The program shall be administered by the State
14 Department of Health Services.
15 11595.3. The program is contingent upon the receipt of
16 private funding sufficient to pay for ~~both~~ the administrative cost
17 of the program, *the cost of the evaluation required by Section*
18 *11595.35*, and the cost of liability insurance.
19 11595.35. *On or before January 1, 2008, the State*
20 *Department of Health Services shall contract for an evaluation of*
21 *the pilot program authorized by this article. The evaluation shall*
22 *be provided to the appropriate policy and fiscal committees of the*



1 *Legislature on or before January 1, 2009. The evaluation shall*
2 *include the following:*

3 *(a) The number of physicians and surgeons receiving liability*
4 *insurance coverage under this article, the specialties of the*
5 *participating physicians and surgeons, the counties in which*
6 *participating physicians and surgeons practice, and the types of*
7 *facilities where the participating physicians and surgeons*
8 *practice.*

9 *(b) The number of physicians and surgeons participating in the*
10 *program who were eligible for waivers of license renewal fees*
11 *pursuant to Section 2442 of the Business and Professions Code and*
12 *who elected to renew their licenses pursuant to that section to*
13 *participate in the program established by this article.*

14 *(c) To the extent data is available, the number of patient visits*
15 *provided to uninsured patients by physicians and surgeons*
16 *participating in the program established by this article.*

17 11595.4. The program shall remain in effect only until
18 January 1, 2009, and as of that date is repealed, unless a later
19 enacted statute, that is enacted before January 1, 2009, deletes or
20 extends that date.

